

Application for Variance
City of Gahanna, Ohio Planning Commission
200 S. Hamilton Road, Gahanna, OH 43230 Phone: (614) 342-4025 Fax: (614) 342-4117

*REQUIRED INFORMATION: All correspondence will be addressed to the applicant. Planning Commission members or	
City staff may conduct a site visit prior to a Planning Commission Public Hearing.	
	+DI 240 4050
*Applicant Name: City of Gahanna	*Phone: <u>342-4259</u> *Fax: 342-4359
*Applicant Address: 200 S. Hamilton Road *Applicant Email: troy.euton@gahanna.gov	Fax. 342-4339
Applicant Email. https://eutonoganama.gov	
*Applicant's Relationship to Project: Land Owner: Option Holder:	Cont. Purchaser: Agent:
*Property Owner Name: City of Gahanna	*Phone:
*Property Owner Address: 200 S. Hamilton Road	*Fax:
*Contact Name: Troy Euton	*Email:
OCC ON Didensin David Ochora Otta	
*Address for Requested Variance: 220 Olde Ridenour Road, Gahanna, Ohio	*Current Zoning: 093
*Parcel ID#:025 - 00108500	Current Zoning. <u>093</u>
*Description of Variance Requested: To install a 10' tall chain link fence to provide trail users protection from errant golf shots on the proposed bike trail.	
1 2/1	*Date: 6-25-13
*Applicant's Signature:	Date:
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*SUBMISSION REQUIREMENTS: Applications are <u>not complete</u> until all submission requirements are received and accepted by the Planning and Zoning Administrator.	
To (0) 44% 47% in the second level description of the way and find by a registered conserver	
 Two (2) 11" x 17" copies of a survey and legal description of the property certified by a registered surveyor. One (1) digital copy of completed application and associated documents. 	
 One (1) digital copy of completed application and associated documents. A list of contiguous property owners and their mailing addresses. 	
 A list of configuous property owners and their mailing addresses. Pre-printed mailing labels for all contiguous property owners. 	
5. A statement of the reason(s) for the Variance request. The statement	nt must address the three (3) conditions
listed on page 2 of this application in order for Planning Commission	to grant approval for the Variance.
6. Application Fee of \$150 for Single-Family Residential Districts and \$	300 for all other Zoning Districts.
*PLANNING AND ZONING ADMINISTRATOR REVIEW AND APPROVAL:	
111 212 1 1 1 1	
Code Sections to be varied: 1171.03(a) to allow a fence to exceed 6'in height.	
6' in height.	*
7	
Description of the governing code and the requested variance:	
In accordance with Section 1131 of the Codified Ordinances of the City of Gahanna, Ohi	o, I hereby certify that this project, as stated
above, was for approved by the City of Gahanna Planning Commission onconditions approved by the Planning Commission and shall comply with all building, zoni	The applicant shall comply with any
conditions approved by the Planning Commission and shall comply with all building, zon	ng and landscaping regulations now in place.
Planning & Zoning Administrator's Signature:	Date:
Planning & Zoning Administrator's Signature.	Date.
For Internal Use:	
SunGard File No. 1506004	
PC File No. 1/-10-2015	
	/ 4
Public Hearing Date: (Received) 6/17//5 (Pa	id) Accepted by PZA)
Revised 10-1-2014/cas	, , , , , , , , , , , , , , , , , , , ,

CHAPTER 1131 - VARIANCES

1131.04 PUBLIC HEARING.

At such hearing the applicant shall present a statement and adequate evidence, in such form as the Planning Commission may require, and the Planning Commission shall not grant a variance unless it finds that all of the following conditions apply to the case in question:

- (a) There are special circumstances or conditions applying to the land, building or use referred to in the application.
- (b) The granting of the variance is necessary for the preservation and enjoyment of substantial property rights.
- (c) The granting of the application will not materially affect adversely the health or safety of persons residing or working in the neighborhood of the proposed use and will not be materially detrimental to the public welfare or injurious to property or improvements in such neighborhood.



City of Gahanna
Department of Parks & Recreation
Big Walnut Trail, Section 5
Fence Variance

1134.04 Public Hearing Questions

- a) The special circumstances and condition that apply to this property relates to the properties primary use as a golf course. On any golf course errant shots are common place, thus, in exercising our due diligence to protect both golfers and trail users, it was determined that a ten feet high fence would be required. This provides for smooth coexistence for both recreational groups by addressing three main points.
 - 1. The fence will protect trail users from having a direct hit from a golf ball when a golfer hits an errant shot.
 - 2. The fence will keep trail users on the path, prohibiting them from entering onto the golf course to interfere with play for a majority of the trail length.
 - 3. The fence will keep golfers from entering onto the multi-use trail where motorized vehicles are prohibited, except for official business.
- b) This variance is absolutely necessary to provide continued use of the park as a golf course, while providing for the multi-use trail. While we wish the trail didn't have to go through the golf course, it has proven to be the only real viable alternative of the four alternatives evaluated for this section of the Big Walnut Trail. While we don't like impacting our golf community with a change on the perimeter of the course, which many find disruptive, we have to stay the course in providing our community with the citizens number one requested recreational amenity: Trails and connectivity throughout the city.
- c) This application will not adversely affect the health or safety of persons residing or working in the neighborhood. In fact, this application will provide better protection and safety for walkers, bikers and joggers using Olde Ridenour Road than exists today without the trail project and fencing.

Submitted by:

Deputy Director



TNIVERSAL. UNV-80102

RESIDENT 151 RUGBY LN GAHANNA OH 43230 RESIDENT 153 GOTHIC CT GAHANNA OH 43230

RESIDENT 155 GOTHIC CT GAHANNA OH 43230 RESIDENT 157 GOTHIC CT GAHANNA OH 43230 RESIDENT 167 GOTHIC CT GAHANNA OH 43230

RESIDENT 169 GOTHIC CT GAHANNA OH 43230 MIFFLIN TOWNSHIP 155 OLDE RIDENOUR RD GAHANNA OH 43230 RESIDENT 138 SCOTTSBURY CT GAHANNA OH 43230

RESIDENT 137 SCOTTSBURY CT GAHANNA OH 43230 RESIDENT 145 SCOTTSBURY CT GAHANNA OH 43230 RESIDENT 295 OLDE RIDENOUR RD GAHANNA OH 43230

RESIDENT 305 OLDE RIDENOUR RD GAHANNA OH 43230 THE WOODS AT PARKSIDE 349 OLDE RIDENOUR RD GAHANNA OH 43230 GEORGE & VIVIAN PARKER 106 SHORT STREET GAHANNA OH 43230

RESIDENT 375 MILL ST GAHANNA OH 43230 RESIDENT 395 MILL ST GAHANNA OH 43230 RESIDENT 150 RUGBY LN GAHANNA OH 43230



Big Walnut Trail - Segment 5 | GAHANNA, OHIO

19601008

QUIT-CLAIM DEED *

THE GAHANNA INVESTMENT CLUB, INC., an Onio Corporation

(1), of Franklin

County, Ohio

for valuable consideration paid, grants(s) to CITY OF GAHANNA

, whose tax-mailing address is

200 S. Hamilton Road, Gahanna, Ohio 43230

the following REAL PROPERTY: Situated in the County of

Franklin

in the State

of Ohio and in the

City

Gehanna

: (2)

See attached legal description

056386

JUN 4 1992

RECORDER'S FEE S

Prior Instrument Reference: Vol.3252 Page 74 of the Deed Records of (3) xedificationateonaticaetixishe County, Ohio. The Gahania Investment Club, Inc., by hand(s) this R9 day Grantor releases all rights of dower therein. Witness our MAN , 1992. of

Signed and acknowledged in the presence of:

witness T. Connell

State of Ohio

County of Franklin

PRESIDENT

29 day of

MAY. 19 92, before me. BE IT REMEMBERED, That on this in and for said county, personally came. the subscriber, a the Grantor(s) in the its voluntary act and deed.

IN TESTIMONY THEREOF, I have hereunto subscribed my name and affixed my seal on this day

and year aforesaid.

TER H RIDDELL Attorney MOTARY PUBLIC - STATE OF

This instrument was prepared by Julia

no of Orentor(s) and mar

with Chapter 5301 of the Revised Code of Ohio

Auditor's and Becorder's St

CONVEYANCE TAX

EXEMPT

JOSEPH W 1ESTA

TRANSFER NOT NECESSARY

JUN 2 1992

JOSEPHW TESTA AUDITOR FRANKLIN COUNTY, OH

a 5302.11 Ohio Revised Cod

EXHIBIT "A"

LEGAL DESCRIPTION

Being part of Lot No. 7, of the John F. Conroy Heirs' subdivision of record in Plat Pook 19, Page 34, all references being recorded in Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning at a railroad spike where the centerline of McCutcheon Road intersects the centerline of Ridenour Road;

thence along the centerline of said Ridenour Road North 0° 50' East, 593.80 feet to an angle point in said road;

thence continuing along the centerline of said Ridenour Road, north 36° 24' West, 339.10 feet to a railroad spike at an angle point in said road;

thence continuing along the centerline of the said Ridenour Road, North 33° 0' West, 159.70 feet to a point at the southwesterly corner of a one (1) acre tract;

thence along a southerly line of the said one (1) acre tract North 47°35' East, 505.71 feet to a point in the centerline of Big Walnut Creek;

thence along the centerline of the said Big Walnut Creek and the meanders thereof the following courses and distances; South 81° 21' East, 325 feet to a point, South 30° 29' 57" East, 476.11 feet to a point, South 17° 21' East, 435 feet to a point, South 5° 9' West, 470 feet to a point in the centerline of the said McCutcheon Road;

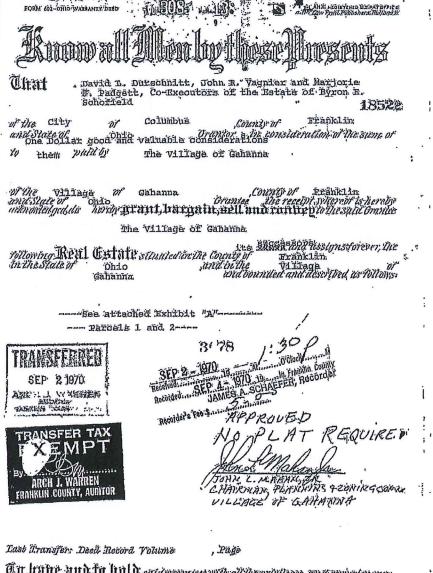
thence North 86° 21' Nest, 760.70 feet to the point of beginning containing 23.014 acres, more or less.

Subject to the right-of-way for the easterly one-half of Ridenour road and north one-half of McCutcheon Road, dedicated by the Plat of the said John F. Conroy Heirs' Subdivision.

The above legal description was taken from the prior deed of reference file of Volume 3252, page 74.

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And the said Cruntor's, David I. Durschnitt, John R. Vagnish and Marjorie I. Padgett, Co-Executors of the Estate of Bryon E. Schooleld the their helm

The VIIIage of Gahanna tte Huggetingthat they are tarfilly sozed of the previses always and the translation of the previses

and that they will forever Hittinit hand Telend the same, with the appurionances, note the said brances The Village of Gahanna againstine londul plaims of all persons whomsoever is backs and assigns Jii III iii Bulling the said Granters, David in Durschnitt, John R vagnier and Marjorie v. Padgett, Co-Executors of the Estate of Pyron R. Schoffeld sho kerelp release their hands, this right of dower in the premises their hands, this 2000 day of c. j. in the year of our lord one in our and new mineral and seventy \$100 Signed und administrated of dispersion of The State of County ss. Öhio Be it Remembered mus on this And the substitute of the Estate of Syron E. Notary Fublic ahove named the Grantar si . Dr.The Foregoing Deed, and welconstruged Live signing of the seam toler Whintary welcoud weeks for the week unapagoists therein mentioned. In Testimoun Metrof, I have hereaster and after my official seal on the day and your jast winesque Victor B, Khuphan, Momey Ai Law -Nolay 19675—Stole-of-Onlo: My tominission dus no explayon dates (secton 247.03 No. This instrument prepared by - David n. Durschnitt, Attorney at Maw RECEIVED FOR RECORD ON THE STATEOFOHEO ŔĘĠŎŖĎĚD RECORDERS FEE COUNTYOR 小小小 iteri)

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Beginning at a point where the centerline of McCurcheon Road, intersects the centerline of Ridenour Road;

thence along the centerline of the said McCutcheon Road, South 66° 21° Bast, 682.20 feet to a point in the vesterly line of the Capital City Lodge No. 9 Fraternal Order of Police 10.524 acre tract as shown of record in Deed Book 2255, Page 598;

thence along the westerly line of the said 10.324 acre tract, 50 south 7° 23° 04" Hast, 117.21 feet to an angle point;

thence continuing wiong the Westerly line of the said 10-324 acre tract and the Westerly line of the Carl P. and Mary Ann Lang. 0.731 acre tract as shown of record in Deed Book 1558, Page 201, South 20° 53' 04" Bast, 220.94 feet to an angle point;

thence along the Westerly line of the said Lang 0.731 acre tract and the Harry A, and Hattle J. Cotton 0.625 acre tract as shown of feorid in Deed Book 2038, Page 124, South 15° 52' 17" Bast, 138,32 feet to a point at the southwesterly corner of the said Cotton 0.625 acre track;

thence continuing along the westerly line of the said Cotton tract, South 3° 31' 57" hast, 52.0 feet to an angle point;

thence continuing along the Westerly line of the said Cotton tract, South 12° 55' 03" West, 47.56 feet to the southwesterly comer of the said tract;

thence along the southerly line of the said Gotton tract, North 88° 28' 03" Bast, 35.31 feet to a point on the westerly Bank of Big

thence slong the vesterly bank of the said Big Walnut Creek, being also the easterly line of the said Brookside Sales, Inc., 102.758 acre tract, the following courses and distances:

水岭... South 1° 14' Bast, 117.36 feet to an angle.

South 18° 42' West, 201.0 feet to an angle point;

South 10 52 West, 105.5 feet to an angle point; and,

South 15° 32' 30" West, 316.10 feet to a point at the southeasterly corner of the said Brockeide Sales, Inc., 102.758 acre tract.

thence along the southerly line of the said 102.758 acre fract. North 36 44 West, 977.10 feet to a point in the centerine of the said. Ridenour Road;

thence along the centerline of the said Ridenour Road, North 9. 36.

thence continuing along the centerline of the said Rideholm Road, North 36° 251 20" Bast, 396,35 feet 1: The paid noth;

thence continuing along the centerline of the said Ridenour Road, North 0° 34' East, 564.36 feet to the place of Beginning, containing 26.437 acres, more or less.

Subject, however, to all legal highways and/or easements of previous record.

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Parcell #2 Si Th to it the rimity Fr. A A To tate of to o, Willage of Cahanna, beingwiocated in Seation 1, Township 1, Runge 17, United States Military Lands, and being all of the Brookside Sales, Inc., 24 acre - 147 poles tract of record in Deed Book 2845, Page 187 but-all of the Rrookside Sales, Inc., 0.367 acre tract of record in Deed Book 2884; Page 421, all references being to the Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning at a point in the centerline of Midenour Road at the northwesterly commer of the said Brookelde Sales 24 acre = 147 poles tract, being also the southerly line of the Brookside Sales, Inc., 102.758 acre tract of record in Beed Book 2445, Page 451;

Thence slong the northerly line of the said 24 stre-147 poles tract, being also the southerly line of the said brookside sales, Inc., 102,758 acre tract, South 86° 44' EAST, 1023.0 feet to a point in the centerlane of Big Walnut Creek;

Thente along the contentions of Mag Walnut Creek, South 22° 00° Rest, 247.5 Heet to a point;

thence continuing slicing the centerline of the seru Mag Walnut Creek, South SI ON West, 1023 M feet to a woint;

thence South 38° 35' West, 95.04 feet to a point on

thence glong the west bank of said Greek, South 22° 00" West, 148.5 feet to a point in the mortherly line of the 13.95 acre tract now or formerly owned by Zora E. Grey;

thence along the northerny line of the Grey 13.95 acre tract; North 81 16 5.77 West, 412,5 feet to a point;

thence continuing along the northerly line of the said Grey 13.95 acro tract, South 39° 39' 35" West, 198 feet to a point;

thence continuing along the mottherly line of the said dray 13.95 acre tract, South 88° 55' West, 54.5 feet to a point in the conterline of the said Ridenour Road;

North 1º 05' West, 284 feet to an angle point in said road;

thence continuing along the centerline of suid road, North 21° 20' iAST, 790.85 feet to an angle point;

thence continuing along the centerline of said ford, North 8° 23' EAST, 378.4 feet to the place of beginning and containing 25.082 acres, more or less.

Subject to all legal highways and casements of arevious

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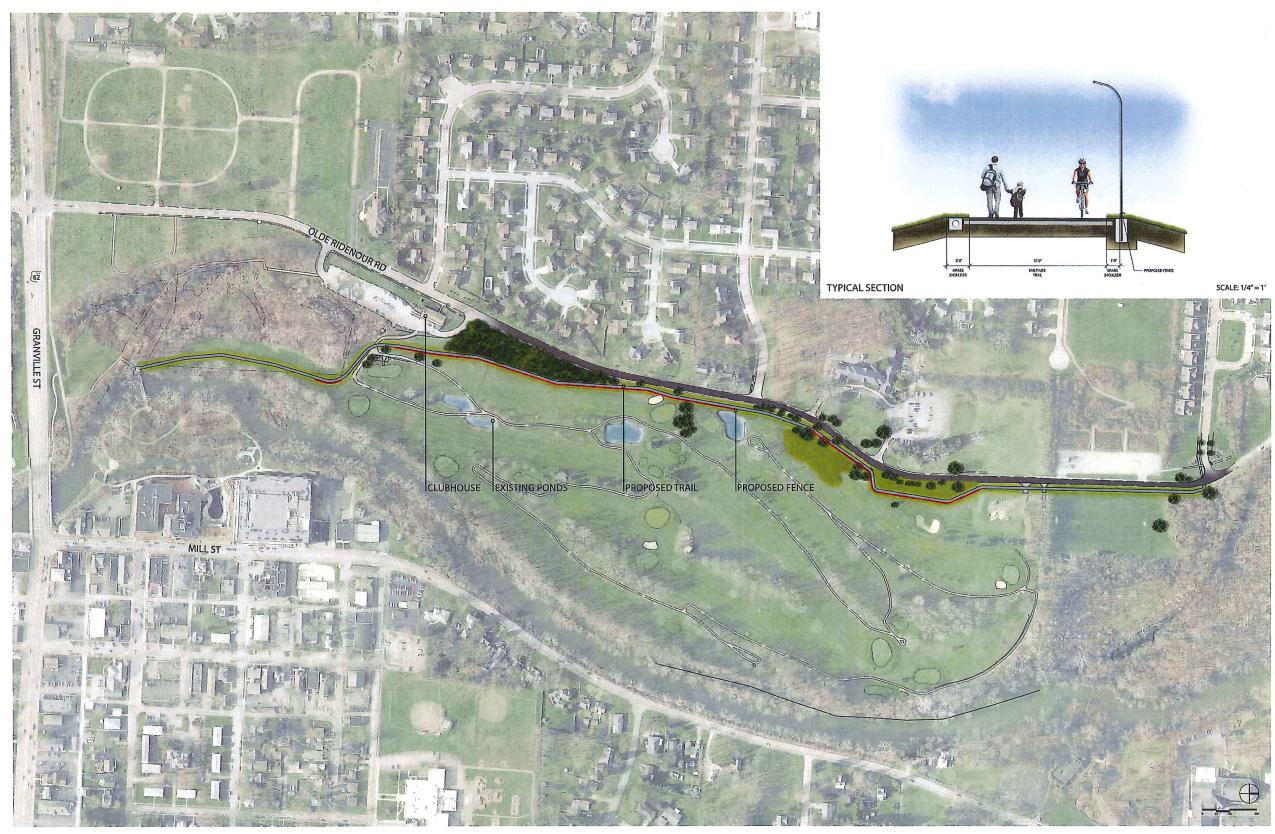
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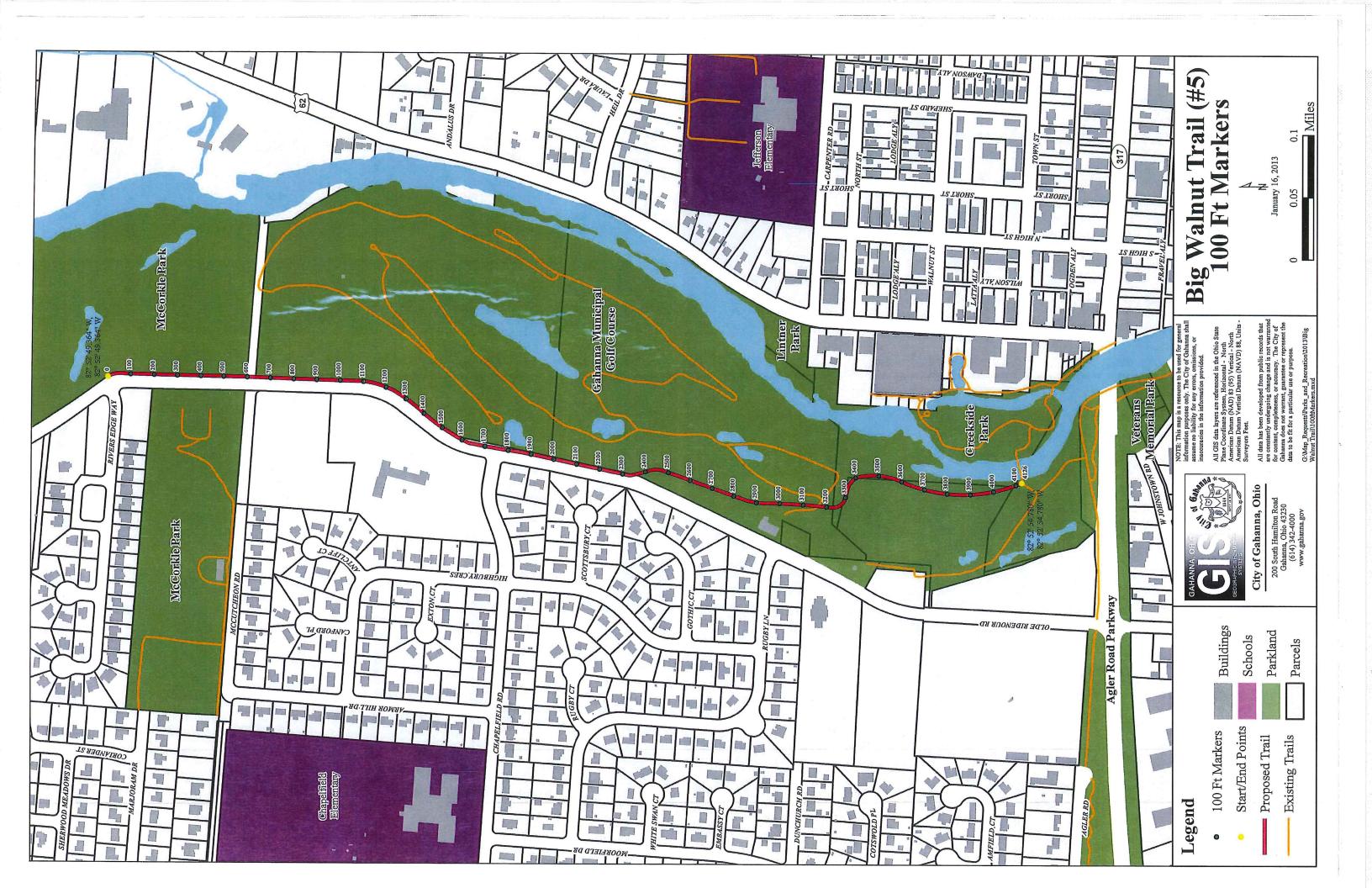
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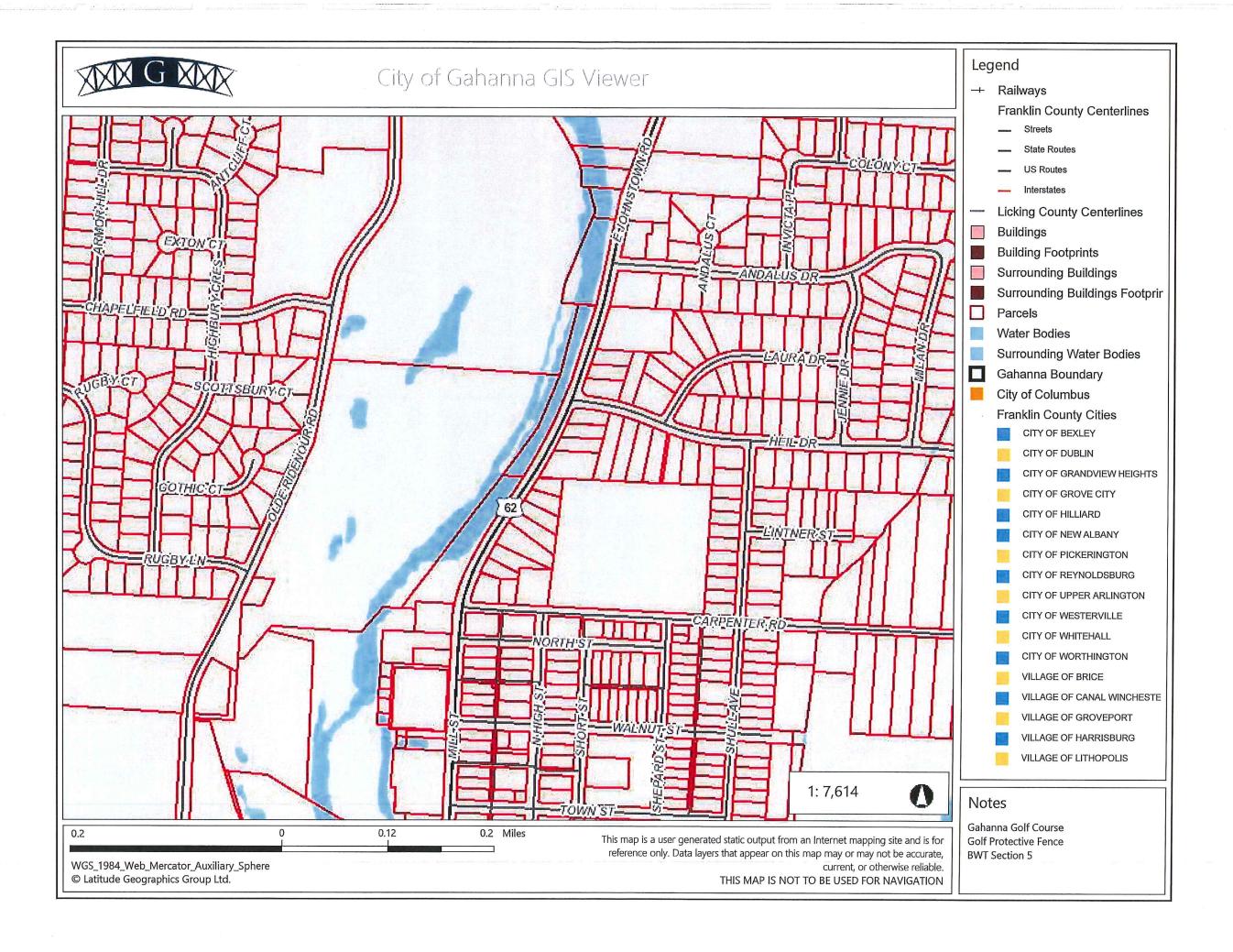


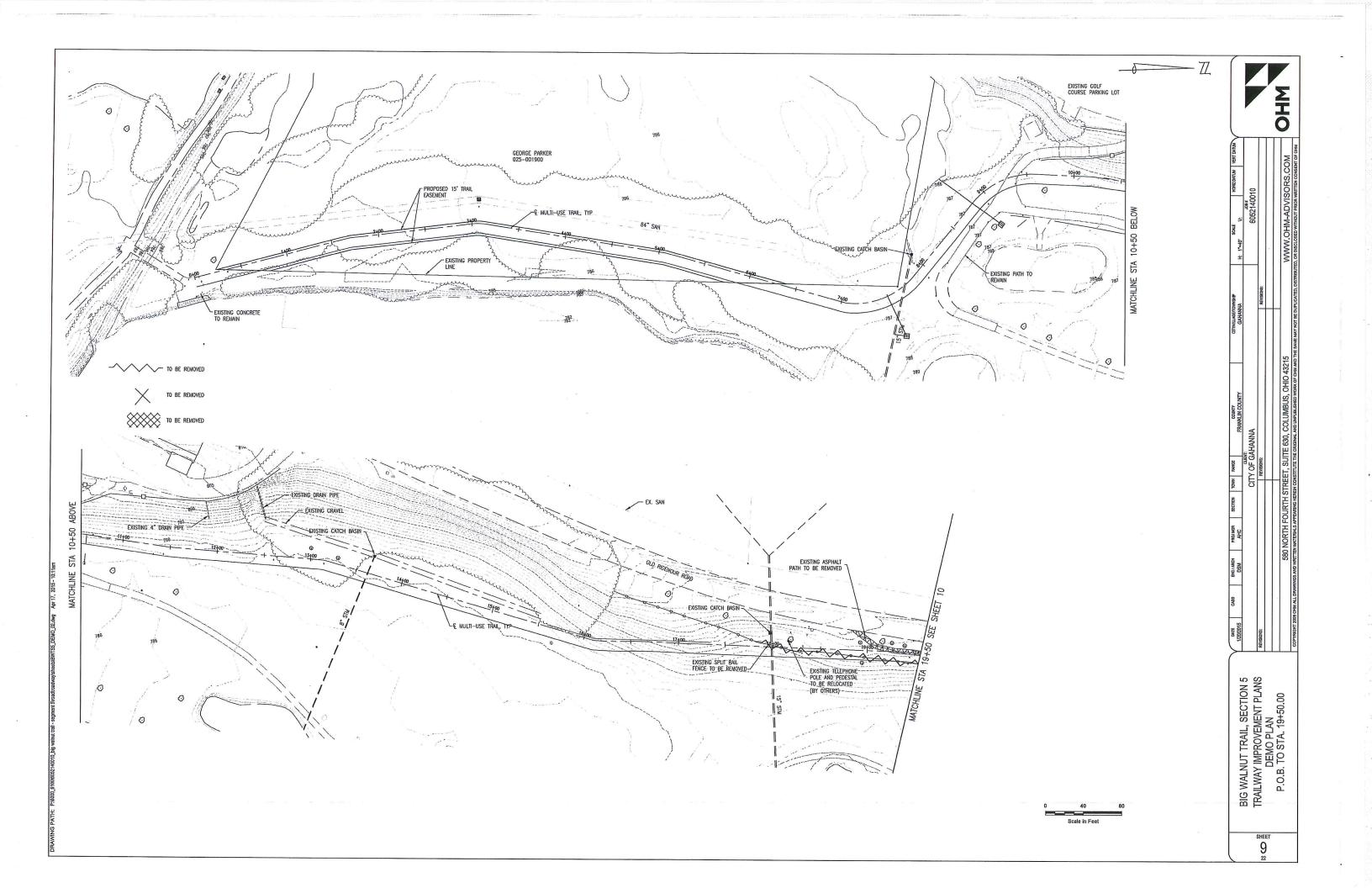
SITE PLAN

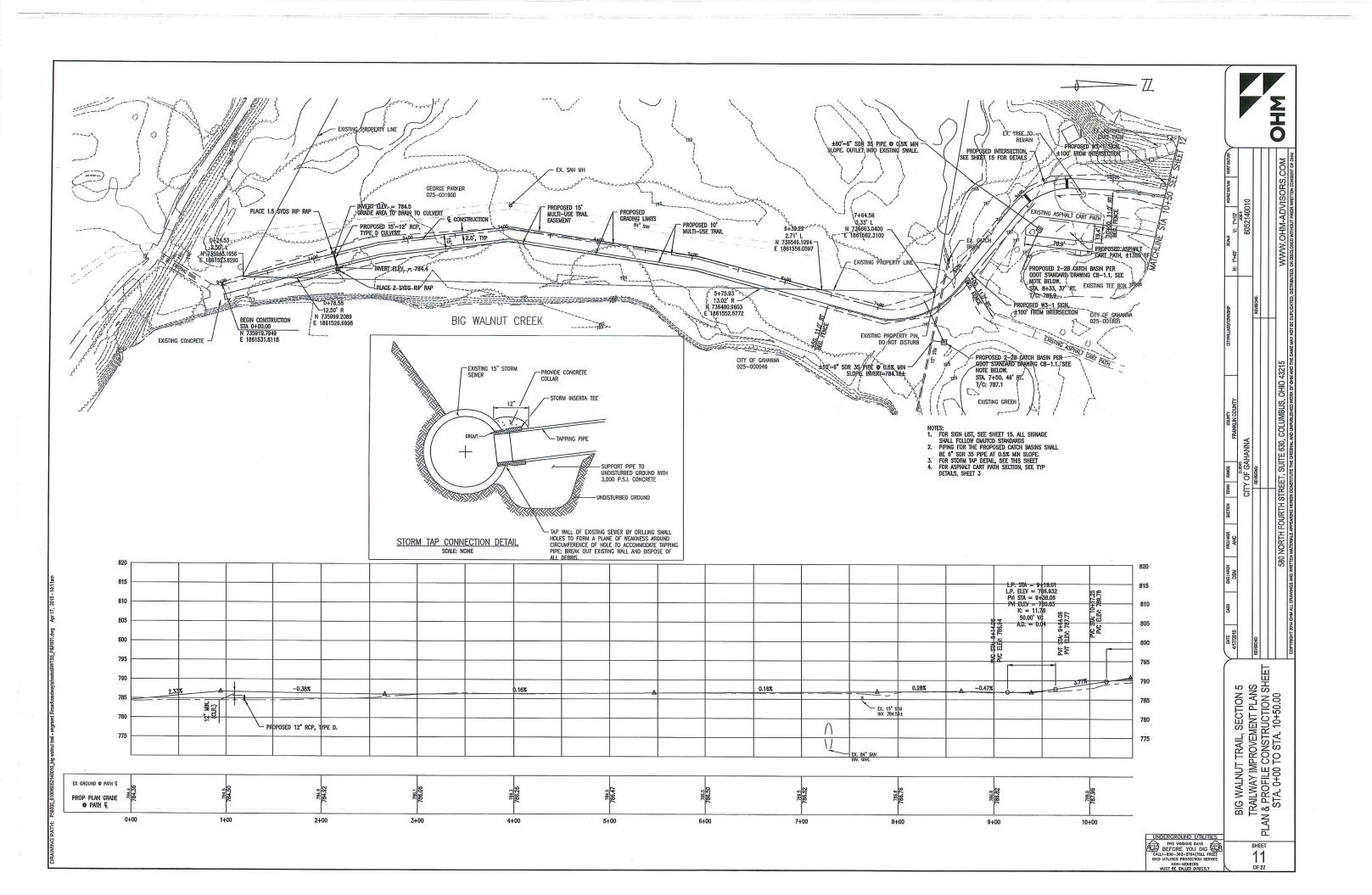
Big Walnut Trail - Segment 5 | GAHANNA, OHIO

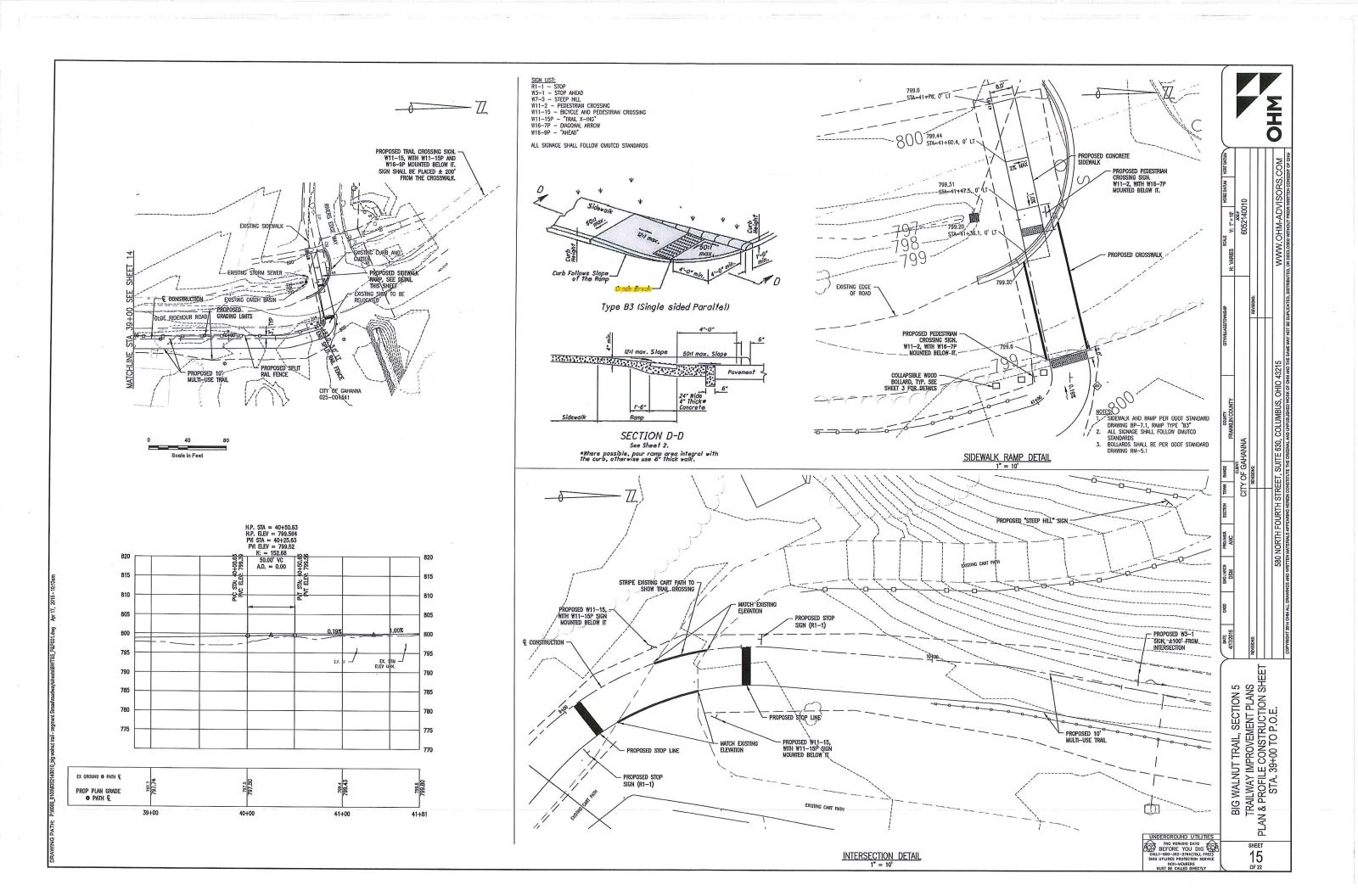














Project Name: Golf Course Fence

Project Address: 220 Olde Ridenour Rd.

Section 5 of the Big Walnut Trail is the sixth of nine sections to be built. This section is 4,200 lineal feet. It will traverse along Olde Ridenour Road and the golf course from the bridge over Big Walnut Creek at Creekside Island northerly to Rivers Edge Drive. This section of the BWT is particularly challenging given the limited space, floodway and golf activities with which to contend. Four alternatives have been studied over the past several years by two different engineering firms and two different city engineers.

The 10' high chain link fence, being requested to construct in this variance, is a necessary protective measure to ensure trail users are protected from errant golf balls. The fence is a special golf 1"x1" weave that a golf ball cannot pass through. This type of fencing is commonly used for pedestrian protection near golf courses across the country. Locally this design was used by Columbus Recreation and Parks on the Alum Creek Trail at Bridgeview Golf Course on Agler Road (which has since been sold).

There has been some concern raised by the golf community and sleigh riders about this project and the fence. The trail and fence will prevent sleigh riding at the golf course as some have done in the past. While the Gahanna Department of Parks and Recreation haven't restricted sleigh riding, it hasn't promoted the use of this hill as there are concerns relative to sledding hill standards.

On the golf side of the project we have conducted operational and legal research to address concerns brought forward by some of the golf community. We are convinced this sharing of space, which has been done many times nationwide, will not be a significant issue for either user group.

Trails and connectivity have continued to be the community's number one infrastructure priority survey after survey. We sometimes have to balance an impact to other recreational amenities to provide for the progress of the citizens top priority.



Respectfully Submitted By: Troy Euton, Director, Department of Parks and Recreation





Project Name: Golf Course Fence

Project Address: 220 Olde Ridenour Rd.

No comments other than the requirement. For a building permit for the fence.

Respectfully Submitted By:

Kenneth w. Foltz Chief Building Official



Project Name: Golf Course Fence

Project Address: 220 Olde Ridenour Rd.

No Comment.

Respectfully Submitted By:

Rob Priestes



Project Name: Golf Course Fence

Project Address: 220 Olde Ridenour Rd

Planning and Development

The property subject to the variance is located within the OG-3 (Olde Gahanna Recreation) zone district. The purpose of this district is to preserve natural amenities around the Big Walnut Creek and to maintain green spaces for both active and passive recreational activities.

Goals and objectives of the Olde Gahanna Design Guidelines include emphasizing the pedestrian experience by incorporating pedestrians with the natural features of the area.

The request to allow a 10' tall chain link fence is necessary as the Parks Department is attempting to enhance the pedestrian experience by connecting property on the east and west side of the Big Walnut Creek via a 10' wide multi-purpose path. The placement of the path will run in and around a portion of the golf course. The applicant provides that the variance is necessary in order to ensure a safe experience on the multi-purpose path.

Site Plan





Aerial Map



It is staff's opinion that the variance meets the criteria of 1131.04 as the applicant has demonstrated that a special circumstance exists with the condition of land; the variance is necessary for preservation of and enjoyment of property rights; and the request will not adversely affect the health or safety of persons residing or working in the neighborhood. In fact, the variance is being requested in an effort to ensure that pedestrians and golfers are able to coexist in the safest manner possible.

Respectfully Submitted By: Michael Blackford





Project Name: Golf Course Fence

Project Address: 220 Olde Ridenour Rd.

The applicant seeks a variance to allow a fence height greater than 6'. This fence is being erected in conjunction with Big Walnut Trail Segment 5.

(a) Fences shall not exceed six feet (6') in height except those which enclose athletic fields and courts, or define secure areas for the storage of public property, which shall not exceed twelve feet (12'), or provide a secure area in the Office, Commerce and Technology District, which shall not exceed ten feet (10').

1171.05 VARIANCES AND APPEALS.

- (a) Variance Procedure.
- (1) The standard for granting a variance which relates solely to area requirements is a lesser standard than that applied to variances which relate to use. An application for an area variance need not establish unnecessary hardship: it is sufficient that the application show practical difficulties.

In determining whether a property owner seeking an area variance has encountered practical difficulties, Planning Commission shall consider and weigh the following factors:

- A. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance;
 - B. Whether the variance is substantial;
- C. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance;
- D. Whether the variance would adversely affect the delivery of governmental services (e.g., water, sewer, refuse);
- E. Whether the property owner purchased the property with the knowledge of the zoning restriction;
- F. Whether the property owner's predicament feasibly can be obviated through some method other than a variance;
- G. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance;
- H. Whether the fence is sufficiently compatible with the architectural and design character of the immediate neighborhood; and
- I. Whether the fence will be hazardous to passing traffic or otherwise detrimental to the public safety and welfare.
- (2) In granting such variance, the Planning Commission may specify the size, type and location of the fence, and impose such other reasonable terms, restrictions and conditions as it may deem to be in the public interest.



(b) Appeals. Any person affected by any decision of the Planning and Zoning Administrator or the Planning Commission made pursuant to this chapter may file an appeal with the Board of Zoning and Building Appeals.

(Ord. 0112-2009. Passed 5-18-09.)

Respectfully Submitted By: